

# EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

## PROJECT TITLE:

An Ordinance expanding the Multiple Family Property Tax Exemption Area, and Amending Ordinance No. 2347-98, as amended (EMC Chapter 3.78)

3/23/16	Briefing
_____	Proposed Action
_____	Consent
_____	Action
3/23/16	First Reading
3/30/16	Second Reading
4/6/16	Third Reading
4/6/16	Public Hearing

COUNCIL BILL #  
 Originating Department  
 Contact Person  
 Phone Number  
 FOR AGENDA OF

CB1603-13  
 Planning  
 Allan Giffen  
 (425) 257-8725  
 March 23, 2016  
 March 30, 2016  
 April 6, 2016

Initialed by:  
 Department Head  
 CAA  
 Council President

db  
gmm

## Location

A portion of the west side of the 2500 block of Wetmore Avenue

## Preceding Action

Rezone: October 21, 2015;  
 Resolution setting public hearing: March 16, 2016 and concurrently

## Attachments

Ordinance, map

## Department(s) Approval

Planning, Legal

Amount Budgeted	-0-	
Expenditure Required	-0-	Account Number(s):
Budget Remaining	-0-	
Additional Required	-0-	

## DETAILED SUMMARY STATEMENT:

In October, 2015 the City Council approved a Rezone of property located in the 2500 block of Wetmore Avenue as part of the Ten-Year Update of the Comprehensive Plan. This ordinance would expand the Multiple Family Property Tax Exemption program area to include the area that was rezoned.

## RECOMMENDATION (Exact action requested of Council):

Adopt an Ordinance expanding the Multiple Family Property Tax Exemption Area, and Amending Ordinance No. 2347-98, as amended (EMC Chapter 3.78).

**ORDINANCE NO. \_\_\_\_\_**

**An Ordinance Expanding the Multiple Family Property  
Tax Exemption Area and Amending Ordinance No.  
2347-98, as amended (EMC Chapter 3.78).**



**WHEREAS**, the City Council finds the following:

1. The City established the Multiple Family Property Tax Exemption program in 1998 to encourage residential redevelopment in the downtown urban center, which has resulted in the construction of approximately 540 housing units in an area that had experienced little housing development in the preceding twenty years prior to the creation of the program.
2. RCW 84.14.010 defines areas eligible for designation as “urban centers” where the Multiple Family Property Tax Exemption is intended to be used to stimulate housing development in targeted areas where a mix of uses and adequate urban infrastructure exists.
3. The area originally defined as the “urban center” has been amended with the addition of the Everett Station area in 2007, and the Evergreen Way Mixed Use Overlay zones in 2012.
4. Adding the area south of downtown between 33<sup>rd</sup> Street and 36<sup>th</sup> Street and between Rucker Avenue and Colby Avenue will encourage the rehabilitation of an existing vacant and underutilized building for multifamily housing and create the opportunity for additional housing redevelopment near the downtown core.

**WHEREAS**, the City Council concludes the following:

1. The notice for the hearing has met the requirements of RCW 84.14.040.
2. The proposed amendments to EMC Chapter 3.78 will encourage the redevelopment of desirable residential housing in the area in close proximity to downtown.
3. The additional housing opportunity in the targeted area will assist in achieving the stated purposes of RCW 84.14.007, to a) encourage increased residential opportunities within the targeted area of the city, and b) stimulate the construction of rehabilitated multifamily housing that will increase and improve residential opportunities within the city’s urban centers;



4. The proposed amendment is consistent with RCW Chapter 84.14.
5. The proposed amendment is in the best long term interests of the Everett community.

**NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:**

**Section 1.** Section 15.A of Ordinance No. 2347-98, as amended (EMC 3.78.150.A), which reads as follows:

**Urban center and residential targeted area designated.**

A. Urban Center, Downtown Area. The area declared to be the downtown area urban center of the city of Everett is the area depicted on Exhibit A, a copy of which is attached to the ordinance codified in this chapter, which comprises portions of Sections 19, 20, 29 and 30 of T.29N., R.5E., W.M. situated in the city of Everett, Washington, and which is legally described as follows:

Commencing at the intersection of the centerlines of Broadway and 33rd Street, which is the true POINT OF BEGINNING; THENCE east along the centerline of 33rd Street to its intersection with the northerly projection of the centerline of alley in Block 796, Everett Land Company's 1st Addition, according to the plat thereof recorded in Volume 3 of Plats, Page 20, records of Snohomish County, Washington; THENCE south along said centerline of the alley in said Block 796, and continuing south along said line and its projection to its intersection with the centerline of 36th Street; THENCE east along the centerline of 36th Street to its intersection with west line of the State Highway No. 5 (Interstate 5) right-of-way; Thence northeasterly along said west right-of-way line of State Highway No. 5 to its intersection with the centerline of the alley in Block 696, Swalwell's 2nd Addition, according to the plat thereof recorded in Volume 3 of Plats, Page 11, records of Snohomish County, Washington; Thence west along said alley centerline to its intersection with the east lot line of Lot 19, Block 693, Plat of Everett, Division I, according to the plat thereof recorded in Volume 5, Page 11, records of Snohomish County, Washington; Thence south along said line to the SE corner of said Lot 19; Thence west along said line and its westerly projection to the east line of Lot 1, Block 689, Plat of Everett, Division I; Thence north along said line to its intersection with the centerline of the alley in said Block 689; Thence west along said centerline to its intersection with the centerline of McDougall Avenue; Thence north along said centerline to its intersection with the east-west alley in Block 688, Plat of Everett, Division I; Thence west along said centerline to its intersection with the centerline of the north-south alley in said Block 688; Thence north along said centerline and its northerly projection to the centerline of Everett Avenue; Thence west along the centerline of Everett Avenue to its intersection with the centerline of Broadway; THENCE north along the centerline of Broadway to its intersection with the centerline of 26th Street; THENCE west along the centerline of 26th Street to its intersection with the southerly projection of the centerline of the alley located in Block 563 of Rucker's First Plat according to the plat thereof recorded in Volume 12 of Plats, Page 101, records of Snohomish County, Washington; THENCE north along the extended centerline and the centerline of said alley to its intersection with the easterly projection of the south line of Lot 14 of said Block 563; THENCE west along said projection and continuing west along the south line of said Lot 14 and the westerly projection thereof across

Wetmore Avenue and continuing west along the south line of Lot 19, Block 562 of said plat and the westerly projection thereof to its intersection with the centerline of the alley located in said Block 652; THENCE north along the centerline of said alley and the northerly projection thereof to its intersection with the centerline of 25th Street; THENCE west along the centerline of 25th Street to its intersection with the southerly projection of the centerline of the alley located in Block 555 of the Plat of Everett according to the plat thereof recorded in Volume 3 of Plats, Page 32, records of Snohomish County, Washington; THENCE north along the centerline of said alley and the northerly projection thereof to the centerline of 24th Street; THENCE west along the centerline of 24th Street to its intersection with the centerline of West Marine View Drive (a.k.a. Norton Avenue); THENCE south along the centerline of West Marine View Drive to its intersection with the centerline of Everett Avenue; THENCE west along the centerline of Everett Avenue to its intersection with BNSF right-of-way (formerly Great Northern Railroad right-of-way); THENCE southwesterly along said line to its intersection with the westerly projection of the centerline of Hewitt Avenue; THENCE east along the centerline of Hewitt Avenue to its intersection with the centerline of Bond Street; THENCE southwesterly along the centerline of Bond Street to its intersection with the centerline of Wall Street; THENCE southeasterly and east along the centerline of Wall Street to its intersection with the southwesterly projection of the centerline of the alley located in the Replat of Block 676, Division C, Plat of Everett, according to the plat thereof recorded in Volume 6 of Plats, Page 38, records of Snohomish County, Washington; THENCE northeasterly along said alley centerline to its intersection with the centerline of Federal Avenue; THENCE north along the centerline of Federal Avenue to its intersection with the westerly projection of the north line of Lot 6, Block 677, Division C, Plat of Everett, according to the plat thereof recorded in Volume 3 of Plats, Page 70, records of Snohomish County, Washington; THENCE east along said north line of Lot 6 across the alley of said Block 677 and continuing east along the north line of Lot 35 of said Block 677 easterly projection thereof across Nassau Street and continuing east along the north line of Lot 6, Block 678, Division C, Plat of Everett, to its intersection with the centerline of the alley located in said Block 678; THENCE south along said alley centerline and its projection to its intersection with the centerline of Wall Street; THENCE east along the centerline of Wall Street to its intersection with the centerline of West Marine View Drive; THENCE south along the centerline of West Marine View Drive to its intersection with the westerly projection of the north line of Lot 6, Block 733 of the Plat of Everett, Division H, according to the plat recorded in Volume 4 of Plats, Page 50, records of Snohomish County, Washington; THENCE east along the westerly projection of the north line of said Lot 6 across the alley of said Block 733 and continuing east along the north line of Lot 27 of said Block 733 and the easterly projection thereof to its intersection with the centerline of Grand Avenue; THENCE south along the centerline of Grand Avenue to its intersection with the centerline of 32nd Street; THENCE east along the centerline of 32nd Street to its intersection with the northerly projection of the centerline of the alley located in Block 770 of the Plat of Everett, Division H; THENCE south along said projection and continuing south along the centerline of the alley of said Block 770 and the southerly projection thereof to its intersection with the centerline of 33rd Street; THENCE west along the centerline of 33rd Street to its intersection with the centerline of Rucker Avenue; THENCE south along the centerline of Rucker Avenue to its intersection with the centerline of 36<sup>th</sup> Street; THENCE east along the centerline of 36<sup>th</sup> Street to its intersection with the centerline of Colby Avenue; THENCE north along the centerline of



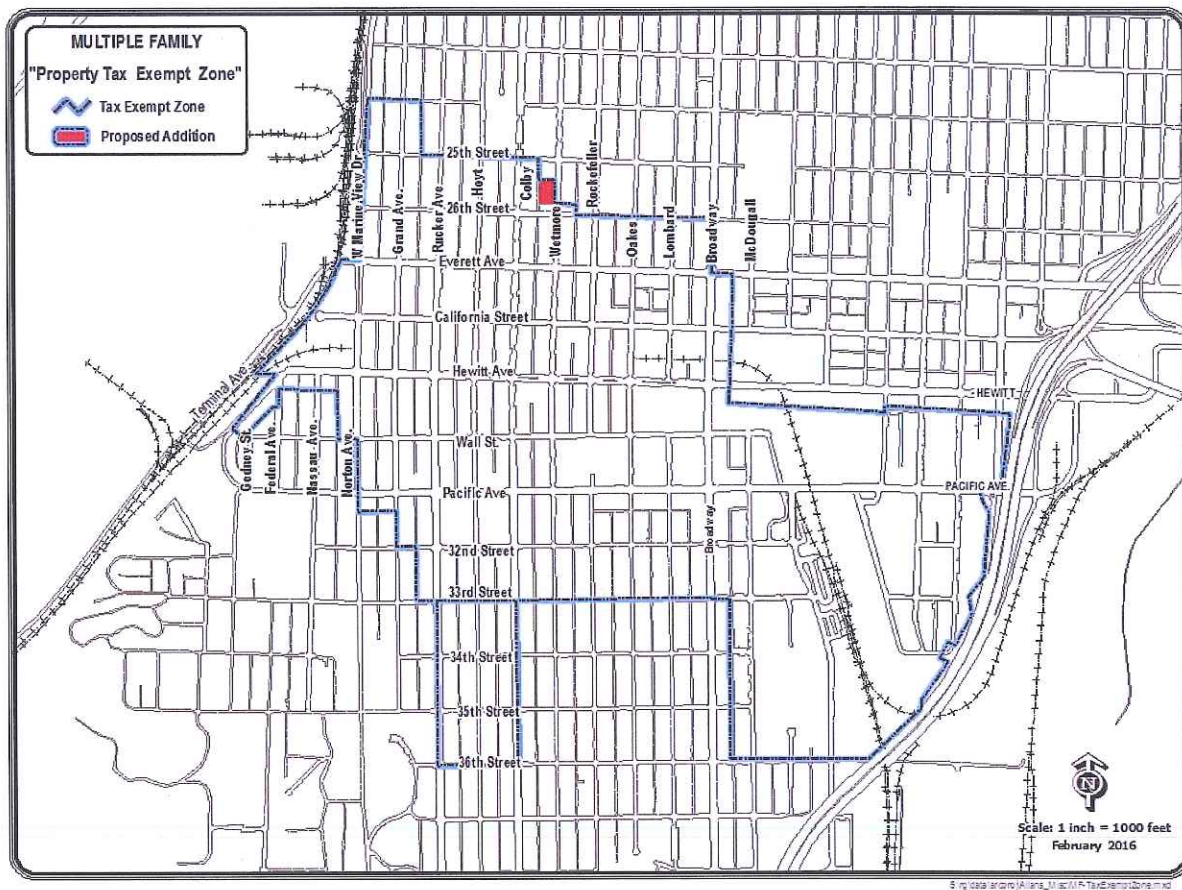
Colby Avenue to its intersection with the centerline of 33rd Street; THENCE east along the centerline of 33<sup>rd</sup> Street to its intersection with the centerline of Broadway, and the POINT OF BEGINNING.

**Is hereby amended to read as follows:**

Commencing at the intersection of the centerlines of Broadway and 33rd Street, which is the true POINT OF BEGINNING; THENCE east along the centerline of 33rd Street to its intersection with the northerly projection of the centerline of alley in Block 796, Everett Land Company's 1st Addition, according to the plat thereof recorded in Volume 3 of Plats, Page 20, records of Snohomish County, Washington; THENCE south along said centerline of the alley in said Block 796, and continuing south along said line and its projection to its intersection with the centerline of 36th Street; THENCE east along the centerline of 36th Street to its intersection with west line of the State Highway No. 5 (Interstate 5) right-of-way; Thence northeasterly along said west right-of-way line of State Highway No. 5 to its intersection with the centerline of the alley in Block 696, Swalwell's 2nd Addition, according to the plat thereof recorded in Volume 3 of Plats, Page 11, records of Snohomish County, Washington; Thence west along said alley centerline to its intersection with the east lot line of Lot 19, Block 693, Plat of Everett, Division I, according to the plat thereof recorded in Volume 5, Page 11, records of Snohomish County, Washington; Thence south along said line to the SE corner of said Lot 19; Thence west along said line and its westerly projection to the east line of Lot 1, Block 689, Plat of Everett, Division I; Thence north along said line to its intersection with the centerline of the alley in said Block 689; Thence west along said centerline to its intersection with the centerline of McDougall Avenue; Thence north along said centerline to its intersection with the east-west alley in Block 688, Plat of Everett, Division I; Thence west along said centerline to its intersection with the centerline of the north-south alley in said Block 688; Thence north along said centerline and its northerly projection to the centerline of Everett Avenue; Thence west along the centerline of Everett Avenue to its intersection with the centerline of Broadway; THENCE north along the centerline of Broadway to its intersection with the centerline of 26th Street; THENCE west along the centerline of 26th Street to its intersection with the southerly projection of the centerline of the alley located in Block 563 of Rucker's First Plat according to the plat thereof recorded in Volume 12 of Plats, Page 101, records of Snohomish County, Washington; THENCE north along the extended centerline and the centerline of said alley to its intersection with the easterly projection of the south line of Lot 14 of said Block 563; THENCE west along said projection and continuing west along the south line of said Lot 14 and the westerly projection thereof to its intersection with the centerline of across-Wetmore Avenue, thence north along the centerline of Wetmore Avenue to its intersection with the easterly projection of the south line of Lot 27 of Block 562 of Rucker's First Plat according to the plat thereof recorded in Volume 12 of Plats, Page 101, records of Snohomish County, Washington; thence west along said projection and said south line of Lot 27 and continuing west along the south line of Lot 19, Block 562 of said plat and the westerly projection thereof to its intersection with the centerline of the alley located in said Block ~~652~~562; THENCE north along the centerline of said alley and the northerly projection thereof to its intersection with the centerline of 25th Street; THENCE west along the centerline of 25th Street to its intersection with the southerly projection of the centerline of the alley located in Block 555 of the Plat of Everett according to the plat thereof

recorded in Volume 3 of Plats, Page 32, records of Snohomish County, Washington; THENCE north along the centerline of said alley and the northerly projection thereof to the centerline of 24th Street; THENCE west along the centerline of 24th Street to its intersection with the centerline of West Marine View Drive (a.k.a. Norton Avenue); THENCE south along the centerline of West Marine View Drive to its intersection with the centerline of Everett Avenue; THENCE west along the centerline of Everett Avenue to its intersection with BNSF right-of-way (formerly Great Northern Railroad right-of-way); THENCE southwesterly along said line to its intersection with the westerly projection of the centerline of Hewitt Avenue; THENCE east along the centerline of Hewitt Avenue to its intersection with the centerline of Bond Street; THENCE southwesterly along the centerline of Bond Street to its intersection with the centerline of Wall Street; THENCE southeasterly and east along the centerline of Wall Street to its intersection with the southwesterly projection of the centerline of the alley located in the Replat of Block 676, Division C, Plat of Everett, according to the plat thereof recorded in Volume 6 of Plats, Page 38, records of Snohomish County, Washington; THENCE northeasterly along said alley centerline to its intersection with the centerline of Federal Avenue; THENCE north along the centerline of Federal Avenue to its intersection with the westerly projection of the north line of Lot 6, Block 677, Division C, Plat of Everett, according to the plat thereof recorded in Volume 3 of Plats, Page 70, records of Snohomish County, Washington; THENCE east along said north line of Lot 6 across the alley of said Block 677 and continuing east along the north line of Lot 35 of said Block 677 easterly projection thereof across Nassau Street and continuing east along the north line of Lot 6, Block 678, Division C, Plat of Everett, to its intersection with the centerline of the alley located in said Block 678; THENCE south along said alley centerline and its projection to its intersection with the centerline of Wall Street; THENCE east along the centerline of Wall Street to its intersection with the centerline of West Marine View Drive; THENCE south along the centerline of West Marine View Drive to its intersection with the westerly projection of the north line of Lot 6, Block 733 of the Plat of Everett, Division H, according to the plat recorded in Volume 4 of Plats, Page 50, records of Snohomish County, Washington; THENCE east along the westerly projection of the north line of said Lot 6 across the alley of said Block 733 and continuing east along the north line of Lot 27 of said Block 733 and the easterly projection thereof to its intersection with the centerline of Grand Avenue; THENCE south along the centerline of Grand Avenue to its intersection with the centerline of 32nd Street; THENCE east along the centerline of 32nd Street to its intersection with the northerly projection of the centerline of the alley located in Block 770 of the Plat of Everett, Division H; THENCE south along said projection and continuing south along the centerline of the alley of said Block 770 and the southerly projection thereof to its intersection with the centerline of 33rd Street; THENCE west along the centerline of 33rd Street to its intersection with the centerline of Rucker Avenue; THENCE south along the centerline of Rucker Avenue to its intersection with the centerline of 36<sup>th</sup> Street; THENCE east along the centerline of 36<sup>th</sup> Street to its intersection with the centerline of Colby Avenue; THENCE north along the centerline of Colby Avenue to its intersection with the centerline of 33rd Street; THENCE east along the centerline of 33<sup>rd</sup> Street to its intersection with the centerline of Broadway, and the POINT OF BEGINNING.





**Section 2. Severability.** Should any section, paragraph, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulations, this shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

**Section 3. Conflict.** In the event there is a conflict between the provisions of this Ordinance and any other City ordinance, the provisions of this Ordinance shall control.

**Section 4. Corrections.** The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection number and any references thereto.

**Section 5. General Duty.** It is expressly the purpose of this Ordinance to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Ordinance. It is the specific intent of this Ordinance

that no provision or any term used in this Ordinance is intended to impose any duty whatsoever upon the City or any of its officers or employees. Nothing contained in this Ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the City related in any manner to the enforcement of this Ordinance by its officers, employees or agents.

\_\_\_\_\_  
Ray Stephanson, Mayor

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**Passed:** \_\_\_\_\_

**Valid:** \_\_\_\_\_

**Published:** \_\_\_\_\_

**Effective Date:** \_\_\_\_\_